

I.

**DEFENDANT'S RESPONSE TO PLAINTIFFS'
FIRST SET OF REQUEST FOR
INTERROGATORIES
(RESPONSES NOS. 69 through 77)**

1 **INTERROGATORY NO. 68:** State and describe in detail, the legal and factual basis for and
2 supporting the defendant's First Affirmative Defense that "Plaintiff fails to state a claim upon a
3 relief can be granted" as set forth in its Answer.

4 **RESPONSE:** There is no independent cause of action for return airfare.
5

6 **INTERROGATORY NO. 69:** State and describe in detail, the legal and factual basis for and
7 supporting the defendant's Second Affirmative Defense that "Plaintiff's claims are barred by
8 Waiver" as set forth in its Answer.

9 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
10 continuing.
11

12 **INTERROGATORY NO. 70:** State and describe in detail, the legal and factual basis for and
13 supporting the defendant's Third Affirmative Defense that "Plaintiff's claims are barred by
14 Estoppel" as set forth in its Answer.

15 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
16 continuing.
17

18 **INTERROGATORY NO. 71:** State and describe in detail, the legal and factual basis for and
19 supporting the defendant's Fourth Affirmative Defense that "Plaintiff's claims are barred by Fraud"
20 as set forth in its Answer.

21 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
22 continuing.
23
24
25

1 **INTERROGATORY NO. 72:** State and describe in detail, the legal and factual basis for and
2 supporting the defendant's Fifth Affirmative Defense that "Plaintiff's claims are barred by the
3 Statute of Limitations" as set forth in its Answer.

4 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
5 continuing.
6

7 **INTERROGATORY NO. 73:** State and describe in detail, the legal and factual basis for and
8 supporting the defendant's Sixth Affirmative Defense that "Plaintiff's claims are barred by
9 Illegality" as set forth in its Answer.

10 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
11 continuing.
12

13 **INTERROGATORY NO. 74:** State and describe in detail, the legal and factual basis for and
14 supporting the defendant's Seventh Affirmative Defense that "Plaintiff's claims are barred by
15 Laches" as set forth in its Answer.

16 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
17 continuing.
18

19 **INTERROGATORY NO. 75:** State and describe in detail, the legal and factual basis for and
20 supporting the defendant's Eight Affirmative Defense that "Plaintiff's claims are barred by Unclean
21 hands" as set forth in its Answer.

22 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
23 continuing.
24

1 **INTERROGATORY NO. 76:** State and describe in detail, the legal and factual basis for and
2 supporting the defendant's Ninth Affirmative Defense that "Plaintiff's claims are barred by Release"
3 as set forth in its Answer.

4 **RESPONSE:** Defendant has discovered no facts to support this defense at this time. Discovery is
5 continuing.
6

7 **INTERROGATORY NO. 77:** State and describe in detail, the legal and factual basis for and
8 supporting the defendant's Tenth Affirmative Defense that "Plaintiff's claims are barred by Statute
9 of Frauds" as set forth in its Answer.

10 **RESPONSE:** To the extent that Plaintiffs seek relief beyond the one year contract period, the
11 claims are barred by the statute of frauds.
12

13 **INTERROGATORY NO. 78:** State and describe in detail what information, documentation, and
14 facts defendant had in its possession indicating and supporting assertion that "Plaintiff's claims are
15 limited because Plaintiff has not suffered damage or because of Plaintiff's failure to mitigate
16 damages" as set forth in the Eleventh Affirmative Defense in its Answer.

17 **RESPONSE:** Please refer to plaintiffs' deposition testimony and documents produced pursuant to
18 Defendant requests.
19

20 **INTERROGATORY NO. 79:** State the name(s), business address(es), and
21 job title(s) or capacity(ies) of the persons, officer(s), employee(s) or agent(s) answering or providing
22 any information used to answer any of these Interrogatories.

23 **RESPONSE:**

24 Joaquin Torres - Human Resources, Director

25 Ma. Luisa C. Ernest - Human Resources Manager

 Glicerio "Eli" Arago - Secretary, Treasurer and Director